

**REAL ESTATE BOARD
MINUTES OF MEETING**

January 25, 2007

The Real Estate Board met at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. The following Board members were present:

R. Schaefer Oglesby, Chairman
Nathaniel Brown (arrived at 9:40 AM)
Judith L. Childress
Marjorie Clark
Carol Clarke
Florence Daniels
Scott Gaeser
Miles Leon (arrived at 9:20 AM, departed at 11:20 AM)
Byrl Taylor

DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director
David Ashe, Chief Deputy Director
Karen O'Neal, Deputy Director
Nick Christner, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Earlyne Perkins, Legal Analyst
Chris Olson, Administrative Assistant

Tom Payne and Eric Gregory from the Office of the Attorney General were present.

Chairman Oglesby called the meeting to order at 9:14 AM.

Call to Order

No one addressed the Board during the **Public Comment period**.

Public Comment Period

A motion was made by Ms. Clark and seconded by Ms. Clarke to approve the agenda. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

Agenda

A motion was made by Ms. Clarke and seconded by Ms. Daniels to adopt the following minutes: November 30, 2006, Informal Fact-Finding Conference; December 4, 2006, Informal Fact-Finding Conference;

Minutes

December 4, 2006, Education Committee Meeting; December 5, 2006, Real Estate Board Meeting; December 7, 2006, Informal Fact-Finding Conference; December 12, 2006, Informal Fact-Finding Conference; December 14, 2006, Informal Fact-Finding Conference; December 20, 2006, Informal Fact-Finding Conference; and January 11, 2007, Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load. No action was taken by the Board.

In the matter of **John Banks v. Jeffrey Jones, Kenneth Martin, Commercial Investments Association, Inc. and Shannon Donovan, REB File Number 2006-04907**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Clark and seconded by Ms. Clarke to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

Board Member Miles Leon arrived at 9:20 AM.

In the matter of **Joshua Shapiro v. Frye Properties, Inc., Kathy Johnson and Sara Rosario, REB File Number 2007-00010**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Clarke and seconded by Ms. Daniels to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

The Board considered the matter of **Virginia Real Estate Board v. Linda M. Wade, REB File Number 2007-02063**. A motion was made by Ms. Clarke and seconded by Ms. Daniels to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Fair Housing Administrators Report

**John Banks v. Jeffrey
Jones, Kenneth Martin,
Commercial Investments
Association, Inc. and
Shannon Donovan, REB
File Number 2006-04907**

Arrival of Board Member

**Joshua Shapiro v. Frye
Properties, Inc., Kathy
Johnson and Sara
Rosario, REB File
Number 2007-00010**

Conciliation Agreement

A motion was made by Ms. Daniels and seconded by Ms. Clark to approve the Fair Housing minutes of December 5, 2006. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Fair Housing Minutes

Tom Payne, Assistant Attorney General, discussed the proposed changes to the Board's Fair Housing Regulations. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the proposed Fair Housing fast track regulations as presented. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Fair Housing Fast Track Regulations

Mr. Oglesby turned the position of Chair over to Ms. Taylor and recused himself from the meeting.

Transfer of Chair

In the matter of **File Number 2007-00418 John Braddie Clark**, the Board reviewed the Consent Order as seen and agreed to by Mr. Clark. Mr. Clark was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the Consent Order as amended wherein Mr. Clark admits to a violation of 18 VAC 135-20-260.1 of the Board's 2004 Regulations. For this violation, Mr. Clark agrees to a monetary penalty of \$1,000.00 for the violation as well as \$150.00 in Board costs for a total of \$1,150.00. In addition, for the violation, Mr. Clark agrees to submit to the Board, on a quarterly basis for a period of two years, a statement from his Principal Broker, confirming that Mr. Clark is in compliance with the Rules and Regulations of the Board. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

File Number 2007-00418 John Braddie Clark

As the reviewing Board member, Mr. Oglesby did not participate in the discussion or vote related to this matter.

Mr. Oglesby returned and assumed the position of chair.

Transfer of Chair

In the matter of **File Number 2007-00492, Russell Jackson**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Jackson, the applicant, was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of

File Number 2007-00492, Russell Jackson

Virginia, approve Mr. Jackson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of File Number 2007-01917, Jesse Willner, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Jesse Willner, the applicant, was present and addressed the Board. A motion was made by Ms. Taylor and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, deny Mr. Willner's application for a real estate salesperson's license due to the recentness and pattern of Mr. Willner's involvement in criminal activity as only one-year has passed since his last criminal offense. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-01917, Jesse Willner

In the matter of File Number 2007-02039, Tonya Morris, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Morris, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Morris' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02039, Tonya Morris

In the matter of File Number 2007-02094, Veeta Cross, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Veeta Cross, the applicant, was present and addressed the Board. A motion was made by Ms. Clark and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, deny Ms. Cross' application for a real estate salesperson's license due to the recentness of the offense, the relationship between the

File Number 2007-02094, Veeta Cross

crime and the purpose for requiring a license, and the fact that Cross' potential broker is unaware of the conviction. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2007-02164, Rachel Anker-Johnson**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Anker-Johnson, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Anker-Johnson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02164, Rachel Anker-Johnson

In the matter of **File Number 2007-02307, Josue Ruiz**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Ruiz, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Ruiz's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02307, Josue Ruiz

Mr. Oglesby turned the position of Chair over to Ms. Taylor and recused himself from the meeting.

Transfer of Chair

In the matter of **File Number 2007-01918. Johnna Fross**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Ms. Fross, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Mr. Leon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Ms. Fross' application for a real estate broker's license due to the lack of transactional experience the Board requires of its brokers. The motion passed unanimously. Members voting "Yes" were Childress,

File Number 2007-01918. Johnna Fross

Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or vote related to this matter.

In the matter of File Number 2007-01924, Randall Robinson, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Robinson, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. Robinson's application for a real estate broker's license due to the lack of transactional experience the Board requires of its brokers. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

File Number 2007-01924, Randall Robinson

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or vote related to this matter.

Board Member Nathaniel Brown arrived at 9:40 AM.

Arrival of Board Member

In the matter of File Number 2007-02042, Frederick Glucksmann, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Glucksmann, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204 of the Code of Virginia, approve Mr. Glucksmann's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

File Number 2007-02042, Frederick Glucksmann

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2007-02186, Peggy Stallard**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Ms. Stallard, the applicant, and Gary Onks, the applicant's principal broker, were present and addressed the Board. A motion was made by Ms. Daniels and seconded by Mr. Leon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Ms. Stallard's application for a real estate broker's license due to the lack of transactional experience the Board requires of its brokers. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

File Number 2007-02186, Peggy Stallard

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2007-02219, Louis Courembis**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Courembis, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Mr. Courembis' application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

File Number 2007-02219, Louis Courembis

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-04156, Nelson Bernard Curtis, III**, the Board reviewed the Consent Order as seen and agreed to by Mr. Curtis. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the Consent Order wherein Mr. Curtis admits to a violation of §54.1-2132.A.4 of the *Code of Virginia*. For this violation, Mr. Curtis agrees to a monetary penalty of \$1,000.00 for the violation as well as \$350.00 in Board costs for a total of \$1,350.00. In addition, for the violation, Mr. Curtis agrees to complete four (4) hours of continuing education to include two (2) hours of contracts and/or another equivalent course approved by the Board, and two (2) hours on

File Number 2006-04156, Nelson Bernard Curtis, III

topics of Curtis' choice approved by the Board, and provide proof of attendance and successful completion within ninety (90) days of the effective date of this order. It is acknowledged that satisfactory completion of the above-referenced continuing education courses will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

As the reviewing Board member, Mr. Oglesby did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2007-01040, Eric DeJaager**, the Board reviewed the Consent Order as seen and agreed to by Mr. DeJaager. A motion was made by Mr. Gaeser and seconded by Ms. Taylor to accept the Consent Order wherein Mr. DeJaager admits to a violation of 18 VAC 135-20-190D.2 of the Board's 2004 Regulations. For the violation, Mr. DeJaager agrees to pay Board costs in the amount of \$150.00 and complete six (6) hours of continuing education pertaining to "Disclosure" and/or another equivalent course approved by the Board, and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above-referenced continuing education courses will not count towards any continuing education requirements, if applicable, for renewal of license. The motion failed. Members voting "Yes" were Gaeser and Taylor. Members voting "No" were Brown, Childress, Clark, Clarke, Daniels, and Leon.

File Number 2007-01040, Eric DeJaager

A motion was made by Ms. Daniels and seconded by Ms. Childress to reject the proposed Consent Order and instead re-offer a Consent Order wherein Mr. DeJaager admits to a violation of 18 VAC 135-20-190D.2 of the Board's 2004 Regulations and agrees to a monetary penalty of \$250.00 for the violation as well as \$150.00 in Board costs for a total of \$400.00. In addition, Mr. DeJaager agrees to complete six (6) hours of continuing education pertaining to "Disclosure" and/or another equivalent course approved by the Board, and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above-referenced continuing education courses will not count towards any continuing education requirements, if applicable, for renewal of license. If Mr. DeJaager does not accept the Consent Order within fourteen (14) days the matter will be referred to an

Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

As the reviewing Board member, Mr. Oglesby did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2007-01151, David T. Pollard**, the Board reviewed the Consent Order as seen and agreed to by Mr. Pollard. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the Consent Order wherein Mr. Pollard admits to a violation of §54.1-2138.A of the *Code of Virginia*. For this violation, Mr. Pollard agrees to a monetary penalty of \$300.00 for the violation as well as \$150.00 in Board costs for a total of \$450.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

File Number 2007-01151, David T. Pollard

As the reviewing Board member, Mr. Oglesby did not participate in the discussion or vote related to this matter.

Ms. Taylor turned the position of Chair over to Ms. Childress and recused herself from the meeting.

Transfer of Chair

In the matter of **File Number 2006-03433, Elizabeth Martin**, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.1 of the Board's 2004 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, and Leon.

File Number 2006-03433, Elizabeth Martin

A motion was made by Ms. Clark and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$400.00 for the violation and revocation of Ms. Martin's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, and Leon.

As the presiding Board member at the Informal Fact-Finding Conference, Ms. Taylor did not participate in the discussion or votes related to this matter. Due to a conflict of interest, Mr. Oglesby did not

participate in the discussions or votes related to this matter.

Mr. Oglesby returned and assumed the position of chair.

In the matter of **File Number 2006-04021, Hyun-Mo Chung**, the Board reviewed the Consent Order as seen and agreed to by Mr. Chung. A motion was made by Ms. Clark and seconded by Mr. Gaeser to accept the Consent Order wherein Mr. Chung admits to violations of 18 VAC 135-20-180.B.1.A of the Board's 2004 Regulations (Count 1), and §54.1-2132.A.2.D of the *Code of Virginia* (Count 2). For these violations, Mr. Chung agrees to a monetary penalty of \$250.00 as well as \$150.00 in Board costs for a total of \$400.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Gaeser, Leon, Oglesby, and Taylor.

As the reviewing Board member, Ms. Daniels did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-05197, Michael D. Baker**, the Board reviewed the Consent Order as seen and agreed to by Mr. Baker. A motion was made by Ms. Childress and seconded by Mr. Gaeser to accept the Consent Order wherein Mr. Baker admits to violations of 18 VAC 135-20-260.5 (Count 1) and 18 VAC 135-20-260.6 (Count 2) of the Board's 2004 Regulations. For these violations, Mr. Baker agrees to a monetary penalty of \$2,000.00 as well as \$150.00 in Board costs for a total of \$2,150.00. The motion passed by majority vote. Members voting "Yes" were Childress, Clark, Clarke, Gaeser, Leon, Oglesby, and Taylor. Member voting "No" was Brown.

As the reviewing Board member, Ms. Daniels did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-03942, Luis A. Escobar**, the Board reviewed the Consent Order as seen and agreed to by Mr. Escobar. A motion was made by Mr. Gaeser and seconded by Mr. Leon to accept the Consent Order wherein Mr. Escobar admits to a violation of 18 VAC 135-20-180.B.1.a of the Board's 2004 Regulations. For this violation, Mr. Escobar agrees to a monetary penalty of \$500.00 as well as \$150.00 in Board costs for a total of \$650.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Transfer of Chair

File Number 2006-04021, Hyun-Mo Chung

File Number 2006-05197, Michael D. Baker

File Number 2006-03942, Luis A. Escobar

In the matter of **File Number 2006-03985, Gracemarie Neary**, the Board reviewed the Consent Order as seen and agreed to by Ms. Neary. A motion was made by Mr. Leon and seconded by Mr. Gaeser to accept the Consent Order wherein Ms. Neary admits to violations of 18 VAC 135-20-310.2 of the Board's 2004 Regulations (Count 1) and §54.1-2132.A.4 of the *Code of Virginia* (Count 2). For these violations, Ms. Neary agrees to a monetary penalty of \$650.00 as well as \$150.00 in Board costs for a total of \$800.00. After discussion, Mr. Leon and Mr. Gaeser agreed to remove their motion from discussion.

File Number 2006-03985, Gracemarie Neary

A motion was made by Ms. Childress and seconded by Ms. Clark to reject the proposed Consent Order and instead re-offer a Consent Order wherein Ms. Neary admits to violations of 18 VAC 135-20-310.2 of the Board's 2004 Regulations (Count 1) and §54.1-2132.A.4 of the *Code of Virginia* (Count 2) and agrees to a monetary penalty of \$650.00 for the violations as well as \$150.00 in Board costs for a total of \$800.00. In addition, Ms. Neary agrees to complete four (4) hours of continuing education pertaining to "Escrow Management" and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above-referenced continuing education courses will not count towards any continuing education requirements, if applicable, for renewal of license. If Ms. Neary does not accept the Consent Order within fourteen (14) days the matter will be referred to an Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-03942, Luis A. Escobar**, a motion was made by Ms. Clark and seconded by Ms. Clarke to re-consider the above-mentioned case. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2006-03942, Luis A. Escobar

A motion was made by Ms. Clark and seconded by Mr. Leon to reject the proposed Consent Order and instead re-offer a Consent Order wherein Mr. Escobar admits to a violation of 18 VAC 135-20-180.B.1.a of the Board's 2004 Regulations and agrees to a monetary penalty of \$500.00 for the violation as well as \$150.00 in Board costs for a total of \$650.00. In addition, Mr. Escobar agrees to complete four (4) hours of continuing education pertaining to "Escrow Management" and provide proof of attendance and successful

completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above-referenced continuing education courses will not count towards any continuing education requirements, if applicable, for renewal of license. If Mr. Escobar does not accept the Consent Order within fourteen (14) days the matter will be referred to an Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-04469. Samuel D. Watts**, the Board reviewed the Consent Order as seen and agreed to by Mr. Watts. A motion was made by Ms. Clark and seconded by Mr. Gaeser to reject the proposed Consent Order and instead re-offer a Consent Order wherein Mr. Watts admits to a violation of 18 VAC 135-20-180.B.1.a of the Board's 2004 Regulations and agrees to a monetary penalty of \$400.00 for the violation as well as \$150.00 in Board costs for a total of \$550.00. In addition, Mr. Watts agrees to complete four (4) hours of continuing education pertaining to "Escrow Management" and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above-referenced continuing education courses will not count towards any continuing education requirements, if applicable, for renewal of license. If Mr. Watts does not accept the Consent Order within fourteen (14) days the matter will be referred to an Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2006-04469. Samuel D. Watts

The Board recessed from 10:31 AM to 10:50 AM.

Break

Lem Marshall, representative of the Virginia Association of Realtors, discussed a legislative proposal to increase the required number of Continuing Education hours. Mr. Marshall stated that the patron of HB 2064 is amending the bill to increase the amount of time required to take the 30-hour post license education from six (6) to twelve (12) months. No action was taken by the Board.

Legislation Update

Ms. Martine updated the Board on the status of its proposed Regulations. No action was taken by the Board.

Regulatory Update

Ms. Childress gave the Education Committee Report. A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the

Education Committee Report

January 24, 2007, Education Committee Report. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

The Board requested that staff modify the renewal notice to include a statement reminding licensees that they are required to report criminal convictions to the Board within thirty (30) days of the conviction date.

Other Business

A motion was made by Mr. Gaeser and seconded by Ms. Clarke to adopt the following resolution to honor the years of dedicated service by former Board Member Sharon P. Johnson to the Board:

Resolution

RESOLUTION IN HONOR OF

Sharon Parker Johnson

WHEREAS, **Sharon P. Johnson** did faithfully and diligently serve as a member of the Virginia Real Estate Board from July, 2002 to June, 2006; and

WHEREAS, **Sharon P. Johnson** did devote generously of her time, talent and leadership to the Board; and

WHEREAS, **Sharon P. Johnson** did at all times render decisions with fairness and good judgment so as to promote and preserve the best interests of our citizens and the profession of real estate in Virginia; and

WHEREAS, the Virginia Real Estate Board acknowledges its gratitude

for devoted service of a person who is held in high esteem by the

members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, this twenty-fifth day of January 2007, that the Virginia Real Estate Board expresses utmost regard and respect for **Sharon P. Johnson** and her professional legacy to this Board; and, so that all may know of the Board's depth of its expression, it is ordered that this resolution be spread upon the official minutes of the Board and that a copy hereof be presented to **Sharon P. Johnson**.

The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Board Member Miles Leon departed at 11:20 AM.

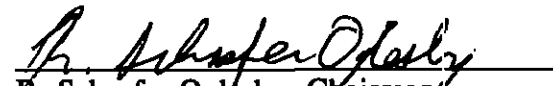
**Departure of Board
Member**

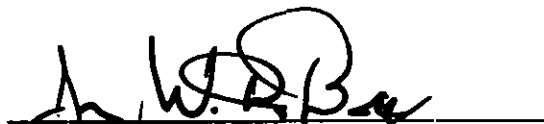
Ms. Martine updated the Board on the status of the reciprocity agreements with West Virginia and Oklahoma. Ms Martine stated that both agreements have been adopted and are now in effect. No action was taken by the Board.

Reciprocal Agreements

There being no further business, the Board adjourned at 11:50 PM.

Adjourn


R. Schaefer Oglesby, Chairman


Jay DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: R. Schaefer Oglesby
2. Title: Chairman - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature: 

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT


1. Name: Nathaniel Brown
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature: 

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Judith L. Childress
2. Title: Member- Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

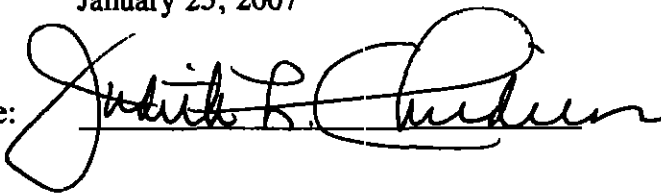
6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature: _____



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Marjorie Clark
2. Title: Member – Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: None
6. I declare that:
 - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: None
 - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature: Marjorie M. Clark

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Carol F. Clarke
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature:

Carol F. Clarke

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Florence Daniels
2. Title: Vice Chairman - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature: Florence Daniels

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Scott Gaeser
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature:  _____

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Miles B. Leon
2. Title: Member – Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

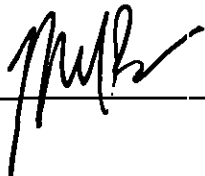
6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature: _____



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Byrl Phillips Taylor
2. Title: Member- Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: January 25, 2007

Signature: _____

